

**AMEND BOARD REPORT 10-0526-PR1****AMEND BOARD REPORT 09-1123-PR3****AMEND BOARD REPORT 09-0422-PR11****APPROVE ENTERING INTO AN AGREEMENT WITH FRANK COONEY AND LOWERY MCDONNELL COMPANY FOR THE PURCHASE OF OFFICE, CLASSROOM AND LIBRARY FURNITURE****THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Approve entering into agreements with Frank Cooney Company and Lowery McDonnell Company for the purchase of office, classroom and library furniture for Chicago Public Schools, Department of Facilities at an aggregate cost not to exceed ~~\$13,500,000~~ \$15,100,000. Vendors were selected on a competitive basis pursuant to duly advertised bid solicitation (Specification No. 07-250037). Written agreements for this purchase are currently available for signature. No goods may be ordered or received and no payment shall be made to any Vendor prior to the execution of their written agreement. The authority granted herein shall automatically rescind as to each Vendor in the event their written agreement is not executed within 90 days of the date of this Board Report. Information pertinent to these agreements is stated below.

This November 2009 amendment is necessary to (i) revise the address for Frank Cooney Company, Inc., (ii) correct the term of the agreements to reflect 28 month terms, (iii) revise the Affirmative Action section and (iv) update the financial section. Written amendments to the agreements are required. The authority granted herein shall automatically rescind as to each Vendor in the event their written amendment is not executed within 90 days of the date of this amended Board Report.

This May 2010 amendment is necessary to increase the aggregate dollar amount of the contracts by \$3,500,000 (\$3,200,000 will include additional furniture orders for new school openings, additions, renovations, turnarounds and grade expansions happening in the fall. The remaining \$300,000 will be utilized by various school units for replacement of office, classroom and library furniture. Written amendments to the agreements are required. The authority granted herein shall automatically rescind as to each Vendor in the event their written amendment is not executed within 90 days of the date of this amended Board Report.

This October 2010 amendment is necessary to increase the aggregate dollar amount of the contracts by \$1,600,000 for furniture for 2010-2011 MSAC buildings, additions, renovations, as well as various departments and schools citywide. Written amendments to the agreements are required. The authority granted herein shall automatically rescind as to each Vendor in the event their written amendment is not executed within 90 days of the date of this amended Board Report.

Specification Number : 07-250037  
Contract Administrator : Martha Escareno / 773-553-2284

**VENDOR:**

- 1) Vendor # 22173  
FRANK COONEY COMPANY INC  
1226 NORTH MICHAEL DRIVE., STE C  
WOOD DALE, IL 60191  
Kevin P. Cooney  
847-640-8800

Order Only-Office/Classroom

- 2) Vendor # 33924  
LOWERY MC DONNELL COMPANY  
255 MITTEL DRIVE  
WOOD DALE, IL 60191  
Scott Mills  
630-227-1000x237

Order Only-Library

**USER:**

Facility Operations & Maintenance  
125 South Clark Street 16th Floor  
Chicago, IL 60603

Contact : Patricia L. Taylor  
Phone: 773-553-2900

**TERM:**

The term of each agreement shall be for twenty-eight months and commence on May 1, 2009 and shall end August 31, 2011. The agreements shall have two (2) options to renew for periods of one (1) year each.

**EARLY TERMINATION RIGHT:**

The Board shall have the right to terminate each agreement with 30 days written notice.

**DESCRIPTION OF PURCHASE:**

Goods: Office/Classroom and Library Furniture including delivery, installation, labor, assembly and cleanup.

Quantity: As needed by the Department of Facilities.

Unit Price: As indicated in the contract.

Total Cost Not to Exceed: ~~\$13,500,000~~ \$15,100,000

**OUTCOMES:**

Vendors' services will result in the management of the ordering, delivery and installation of all furniture to be supplied to schools.

**COMPENSATION:**

Vendors shall be paid in accordance with the unit prices contained in their agreement, based upon the actual items ordered; total not to exceed the sum of ~~\$13,500,000~~ \$15,100,000 in the aggregate.

**AUTHORIZATION:**

Authorize the General Counsel to include other relevant terms and conditions in the written agreements and amendments. Authorize the President and Secretary to execute the agreements and amendments. Authorize Chief Property Officer to execute all ancillary documents required to administer or effectuate the agreements.

**AFFIRMATIVE ACTION:**

This contract is in full compliance with the goals required by the Remedial Program for Minority and Women Owned Business Enterprise Participation in Goods and Services Contracts. The MBE/WBE goals for this agreement are: 30% MBE participation and 7% WBE participation.

The Vendors have identified the following:

**Library Furniture Total MBE - 30%**

Leeway Contractors, Inc. (AA)  
14806 South Drexel Ave.  
Dolton, Illinois 60419  
Contact: Lee Haggard

**Total WBE - 7%**

Shorestone Group  
2715 N. Hampden, Suite 101  
Chicago, Illinois 60614  
Contact: Lisa Simonson

**Office and Classroom Furniture Total MBE - 30%**

Chicago United Industries (H)  
53 West Jackson, Suite 1450  
Chicago, Illinois 60604  
Contact: George Loera

**Total WBE - 7%**

Harrison and Company  
970 Oak Lawn Avenue  
Elmhurst, Illinois 60126  
Contact: Mary Grace Harrison

**LSC REVIEW:**

Local School Council approval is not applicable to this report.

**FINANCIAL:**

Charge to ~~Facilities Operations~~: \$13,200,000  
Charge to Various School Units: \$300,000  
xxxxx-4xx-xxxxx-xxxxxx-xxxxxx-xxxx \$1,600,000

12150-499-54105-254403-000000-2009	\$2,600,000.00
12150-Xxx-54105-254403-000000-2011	\$5,000,000.00
12150-477-54105-253533-000000-2010	\$2,400,000.00
Unit-115-55010-254403-000000-2010	\$300,000.00
12150-499-54105-253533-000000-2010	\$3,200,000.00

**CFDA# :** Not Applicable

**GENERAL CONDITIONS:**

Inspector General - Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

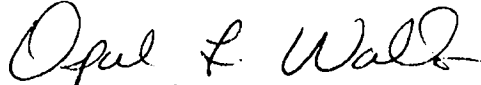
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their terms of office.

Indebtedness - The Board's Indebtedness Policy adopted June 26, 1996 (96-0626-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics - The Board's Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



OPAL L. WALLS  
Chief Purchasing Officer

Approved:



RON HUBERMAN  
Chief Executive Officer

Within Appropriation:



DIANA S. FERGUSON  
Chief Financial Officer

Approved as to Legal Form:



PATRICK J. ROCKS  
General Counsel